



Michigan Supreme Court

State Court Administrative Office

Trial Court Services Division

Michigan Hall of Justice

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MEMORANDUM

DATE: May 17, 2007

TO: District and Municipal Court Judges, District Court Magistrates
cc: Court Administrators, Clerks of the Court

FROM: Jill Booth, Management Analyst

RE: 2007 Public Act 8, Effective May 11, 2007
Amendments to the Natural Resources and Environmental Protection Act

2007 Public Act 8 amended Part 801 (Marine Safety) and Part 802 (Personal Watercraft) of the Natural Resources and Environmental Protection Act to decriminalize certain violations by changing them from misdemeanors to state civil infractions. Each violation would be subject to a maximum civil fine of \$500. The following is a list of the violations that were previously misdemeanors and are now state civil infractions:

Part 801, Marine Safety

- MCL 324.80114 – a safety equipment violation
- MCL 324.80122 – no certificate, decal, or number on a vessel
- MCL 324.80124(15) – improper decal display
- MCL 324.80124(17) – no decal issued for a vessel or expired decal
- MCL 324.80144 – failing to avoid a collision, 1st violation (2nd and subsequent violations remain misdemeanors)
- MCL 324.80145 – basic speed law violation
- MCL 324.80146 – speeding that does not constitute reckless operation (unless waived for authorized marine events)
- MCL 324.80149 – counterclockwise operation violation or 100-foot rule violation on any of the Great Lakes, Lake St. Clair, or the St. Clair River (violations on other bodies of water remain misdemeanors)
- MCL 324.80151 – towing a skier after dark
- MCL 324.80198b(1) – no buoys on a public beach
- MCL 324.80198b(2) – swimming outside a buoyed swimming area

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Part 802, Personal Watercraft

- MCL 324.80205(8) – 150-foot rule violation
- MCL 324.80205(9) – 2-foot rule violation

In addition, the amendments increase the maximum fine from \$100 to \$500 for refusing to submit to a preliminary breath test when the operator is suspected of operating a marine vessel while intoxicated (MCL 324.80180). The amendments also increase the maximum amount of bail from \$25 to \$200 that a nonresident may be required to post when arrested without a warrant for a violation of Part 801 (MCL 324.80169). 2007 Public Act 8 is effective May 11, 2007.

If you have any questions regarding the changes, please contact me at 517-373-2173 or boothj@courts.mi.gov.